

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**HEATHER NOFSKER,**  
**Plaintiff**

**v.**

**NANCY A. BERRYHILL,**  
**Acting Commissioner of**  
**Social Security,**  
**Defendant**

**: No. 3:16cv2151**  
**:**  
**: (Judge Munley)**  
**: (Magistrate Judge Saporito)**  
**:**  
**:**  
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**:**

**ORDER**

**AND NOW**, to wit, this 31<sup>st</sup> day of August 2018, it is hereby **ORDERED** as follows:

- 1) The plaintiff's objections (Doc. 23) to the magistrate judge's report and recommendation are hereby **SUSTAINED**;
- 2) The report and recommendation (Doc. 22) is **NOT ADOPTED**;
- 3) The case is remanded to the Commissioner for further action consistent with the accompanying memorandum; and
- 4) The Clerk of Court is directed enter judgment in favor of the plaintiff and against the defendant and to close this case.

**BY THE COURT:**

**s/ James M. Munley**  
**JUDGE JAMES M. MUNLEY**  
**United States District Court**